

REMARKS

Claims 1 – 17 remain in the application. The Office Action mailed 9/01/06 presents objections to the abstract, specification, claims and drawing. Further, the claims were rejected under both Section 112 and Section 101. As now described, the application has been amended to address all of the objections and rejections.

A new abstract has been provided. The objection to the Specification has been addressed. The title is now presented in all capitalized letters, and the claims section heading is now capitalized. Other section titles were correctly added to the application in the preliminary amendment filed with the application. The section headings as now presented fully satisfy the requirements under 37 C.F.R. 1.77. With regard to the objection to the claims, several informalities have been corrected in claim 1 as suggested by the examiner.

The objection to the drawings has been addressed by provision of a replacement sheet for FIG 1 and FIG 2, and by amendment to the Specification to remedy the objections presented with regard to FIG 6. The replacement sheet provides revisions to FIG 1 which replace German text with English language text. With the amendments to the Specification reference characters 20 and 20' are now described in the description in accord with 37 CFR 1.84(p)(5). The reference number 20 refers to fixed turbine blades while the reference number 20' refers to rotatable runner blades. These amendments do not introduce any new matter.

The claims were rejected under Section 112 for not setting forth steps involved in the claimed method. Further, the claims were rejected under Section 101 for being directed to non-statutory subject matter. To address these rejections and correct various informalities, claims 1, 2, 5, 10 – 12, 14, 16 and 17 are amended to expressly include method steps directed to statutory subject matter. For example, claim 1 now recites “controlling the parameter value so that the value will be retained within a limit.” With these amendments it is submitted that the claims now satisfy all requirements under Section 112 and the claims are now each directed to patentable subject matter under Section 101.


Conclusion

The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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One enclosure (Replacement Sheet 1/4 of the Figures)